

OREGON DEPARTMENT OF CORRECTIONS
 CUSTODY CLASSIFICATION GUIDE
 OAR 291-104-0116

ESCAPE HISTORY:

- None.....1
- ESPO..... 2
- ESMO, ESMU..... 3
- ESNV, ESNM & ESVI..... 4

Escape history is scored by utilizing the Escape History designator screen; the data will then be captured in CIS and used to score the policy element. Review the six (6) escapes codes and determine which category corresponds to the inmate’s escape history. Timeframes are based on the date of apprehension for all non-DOC escapes and date of return to DOC custody for DOC escapes. On the designator screen, enter the category, escape begin date, and details of the escape.

Potential Escape Risk

ESPO: Timeframe - Within the past three (3) years.

- Inmates who escape from temporary release or transitional leave from a facility or an escape not under the direct supervision of custody personnel;
- ORS 162.145, Escape III - escapes or attempts to escape while in the custody pursuant to an arrest.

Moderate Escape Risk

ESMO: Timeframe: Within the past five (5) years.

- ORS 162.155, Escape II (c) - Escape from the grounds of an unfenced correctional facility;
- Escape from work release centers or half way houses;
- Escape from direct supervision of work crew supervisors authorized to supervise inmates while outside the facility security perimeter;
- Escape from home electronic detention;
- In possession of an escape device (handcuff key, saw blade, wire cutters) while under secure custody.

ESMU: Timeframe: Within the past ten (10) years.

- Inmates that have three (3) or more documented ESMO escapes at the time of classification action.

Severe Escape Risk

ESNV: Timeframe: Within the past 10 years.

- Breaching physical security measures
- ORS 162.155, Escape II (c) – Escape from the grounds of a fenced correctional facility;
- ORS 162.155, Escape II (c) – Non-violent escape from the grounds of a fenced correctional facility

ESNM: Timeframe: No time limit.

- Inmates that have three (3) or more documented ESNV escapes.

ESVI: Timeframe: No time limit.

- ORS 162.155, Escape II (a) - Escape that involves the use or threatens to use physical force escaping from custody;
- ORS 162.165, Escape I (a) - Escape that is aided by another person actually present and involves use or threatens to use physical force in escaping from custody or a correctional facility.
- ORS 162.165, Escape I (b) - Escape that involves the use or threatened to use a dangerous or deadly weapon while escaping from custody or a correctional facility.

SENTENCE REMAINING:

- 0 to 48 months..... 1
- 49 to 120 months..... 3
- 121 months to life..... 4
- Death..... 5

Sentence remaining is an automatic field entry utilizing CIS information. The score is calculated from the inmate's projected release date. In addition, all matrix sentences will be noted with a "serving matrix" flag.

DETAINERS:

- Detainer – Not applicable..... 1
- Detainer - Low..... 2
- Detainer - High..... 3

Detainers are an automatic field entry utilizing CIS information. Selection is made from the highest category to determine the level of detainer.

Detainer – Not applicable

- No detainer on file
- Concurrent felony or misdemeanor offenses and the expiration date are prior to the projected release date.
- Other charges - noted in CIS which could include situations where another agency has informed DOC they do not wish to take custody of the inmate upon the inmate's release from DOC.

Detainer – Low

- Only misdemeanor detainers are scored under this element;
- Untried misdemeanor detainer;
- Consecutive misdemeanor detainer which expires one (1) year or less from the inmate's projected release date.

Detainer – High

- Untried, unverified, or consecutive felony detainer;
- Unclassified or Unknown detainer
- Concurrent felony detainer which expires after the inmates projected release date.
- ICE, Federal, and US Marshal detainers;
- Multiple consecutive misdemeanor detainers which expire one (1) year or greater beyond the inmates projected release date.

INSTITUTIONAL BEHAVIOR:

- Behavioral Risk Level 1
 - No rule violations..... 1
 - One Level IV or V rule violations..... 1
- Behavioral Risk Level 2
 - One Level III rule violation..... 2
 - Two Level IV or V rule violations..... 2
 - One Level III and one Level IV or V rule violations..... 2
- Behavioral Risk Level 3
 - Two or more Level III rule violations..... 3
 - Three or more Level IV or V rule violations..... 3
 - One Level II rule violation..... 3
 - One Level III and 2 or more Level IV or V rule violations..... 3
- Behavioral Risk Level 4
 - One or more Level I rule violations with no serious management concern..... 4
 - Two or more Level II rule violations..... 4
 - IMU release for 12 months..... 4
- Behavioral Risk Level 5
 - One or more Level I rule violations with serious management concern..... 5

Major misconduct violations are an automatic field entry utilizing CIS information.

- All major misconduct violations are counted within the past 12 months;
- Violation count is determined by hearing case number;
- The most serious rule violation under each hearings case number determines the severity level of the misconduct;
- Severity level is based upon Rule 105, Prohibited Inmate Misconduct Major Violation Grid;
- Inmates that receive an adjudicated misconduct violation in another jurisdiction while receiving DOC time served credits will be counted as a DOC rule violation by using professional judgment to determine which DOC rule violation most closely matches the adjudicated rule violation. Information will be entered into CIS for accurate automatic scoring.

Serious Management Concern misconduct:

When determining whether Level I misconduct surpasses the threshold of serious management concern, close attention must be paid to the definition of serious management concern contained in this rule. It is essential that thorough documentation is kept describing the extent of the behavior of which a designation of serious management concern is based.

- Any inmate that has been found in violation of a Level I rule violation and presents serious management concerns will receive a pending score of 5 and referred to the Special Population Management Committee for Intensive Management Unit (IMU) placement. A manual entry score of 5 will need to be generated;
- If approved for IMU placement, the inmate’s score of 5 will be approved by the Office of Population Management and will remain a score of 5 until released from the IMU program. If not approved for IMU placement, the pending score of 5 will be manually adjusted to a score of 4;
- All inmates released from IMU will manually receive a score of 4 for 12 months upon their IMU release date.

VIOLENCE PREDICTOR SCORE (VPS) vs. POLICY ELEMENT INTERACTION TABLE

Scoring Element	Definition	Element Score	Security	Level						
			First Year	After First Year						
Violence Predictor Score (VPS)	Determined by VPS formula	1	Highest score from all Scoring elements							
	Determined by VPS formula	2								
	Determined by VPS formula	3								
	Determined by VPS formula	4								
Detainer	No detainers	1		Highest score from all Scoring elements	Highest score from non-VPS Scoring elements					
	Misdemeanor, release to det=Y, sentence length <= 12 months or misdemeanor, release to det=Y, sentence length = 0 (open)	2								
	Felony/unknown/unclassified, release to det=Y or misdemeanor, release to det=Y, sentence length > 12 months	3								
Escape	No escape	1				Highest score from all Scoring elements	Highest score from non-VPS Scoring elements			
	Potential escape	2								
	Moderate escape	3								
	Severe escape	4								
Sentence Remaining	0 – 48 months	1						Highest score from all Scoring elements	Highest score from non-VPS Scoring elements	
	49 – 120 months	3								
	121 months - Life	4								
	Death	5								
Institutional Behavior	0 DRs in 12 months or 1 level 4,5 DR in 12 mos	1								Highest score from all Scoring elements
	1 level 3 DR in 12 mos or 2 level 4,5 DRs in 12 mos or 1 level 3 DR and 1 level 4,5 DR in 12 mos	2								
	3+ level 4,5 DRs in 12 mos or 2+ level 3 DRs in 12 mos or 1 level 2 DR in 12 mos or 1 level 3 DR and 2+ level 4,5 DR in 12 mos	3								
	1+ level 1 DRs in 12 mos with no serious management concern or 2+ level 2 DRs in 12 mos	4								
Determined by SPM Committee	IMU release during last 12 mos	4	Manual override							
	1+ level 1 DRs in 12 mos with serious management concern	5								

The Violence Predictor Score (VPS) determines an inmate’s scored custody level for the first year following Intake unless a policy element score is higher than the inmate’s VPS score. After one year, only the highest policy element score will determine the scored custody level for an inmate. The SPM Committee may manually override the scored level for the two situations defined above.